

**Town of Orangetown
Architecture and Community Appearance Board of Review
Meeting of June 20, 2013**

MEMBERS PRESENT: Paul Papay, Vice - Chairman; Blyth Yost; Jill Fieldstein;
James Dodge and Alex DiMenna

MEMBERS ABSENT: Thomas Warren, Chairman and Jack Messina
ALSO PRESENT: Ann Marie Ambrose, Stenographer and Cheryl Coopersmith,
Chief Clerk

Paul Papay, Vice - Chairman, called the meeting to order at 7:35 p.m.
Mr. Papay read the agenda. Hearings as listed on this meeting's agenda which
are made a part of these minutes were held as noted below.

New Items:

Orangetown Jewish Center Plans ACABOR #13 - 29
Review of Sukkah Plans Approved Subject
74.14/1/4; R-15 zoning district to Conditions

MWD Star – Lot #1 Plans ACABOR #13 - 30
Route 9W Golf Subdivision Approved Subject
Palisades Historic Area to Conditions
Review of Site/Planting Plans
78.13/1/3.1; R-40 zoning district

Comito Construction Subdivision ACABOR #13 - 31
Amendment to Planting Plan Approved Subject
ACABOR #12-13, February 16, 2012 to Conditions
77.20/1/19.2; R-15 zoning district

Roost Restaurant Plan ACABOR #13 - 32
Review of Windows and Awning Plans Approved Subject
77.08/5/42; CS zoning district to Conditions

Arriflex Sign Plan ACABOR #13 - 33
Review of Sign Plan Approved
65.19/1/1; LO & R-40 zoning districts as Presented

Clover Leaf Inn Outdoor ACABOR #13 - 34
Dining Area Plan Approved Subject
Review of Dining Area Plan to a Condition
74.06/3/4; R-15 zoning district

Continued Item from the March 21, 2013 Meeting:
Loccisano Garage Plan ACABOR #13 - 09
Review of Structure Plan Contined
73.05/1/62; R-40 zoning district

A motion was made to adjourn the meeting by Jill Fieldstein and seconded by
Alex DiMenna and agreed by all in attendance. The Decisions on the above
hearings, which Decisions are made by the Board before the conclusion of the
meeting, are mailed to the applicant. The verbatim minutes are not transcribed,
but are available. As there was no further business before the Board, the
meeting was adjourned at 9:35 p.m. The next ACABOR Meeting is scheduled
for July 11, 2013.

Dated: June 20, 2013


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ACABOR #13-29: Orangetown Jewish Center Plans – Approved Subject to Conditions

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TO: Karl Hess, R.A., Hess Architects, 244 Sickletown Road,
West Nyack, New York 10994
FROM: Architecture and Community Appearance Board of Review

RE: Orangetown Jewish Center Plans: The application of Orangetown Jewish Center, owner, for the review of Sukkah Plans at a site known as “**Orangetown Jewish Center Plans**”, in accordance with Article 16 of the Town Law of the State of New York and Chapter 2 of the Code of the Town of Orangetown. The site is located at 8 Independence Avenue, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.14, Block 1, Lot 4 in the R-15 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, June 20, 2013**, at which time the Board made the following determinations:

Karl Hess appeared and testified for the applicant.

The Board received the following items:

A. Architectural Plans prepared, signed and sealed by Karl Hess, R.A., dated October 5, 2010:

Sheet 1: Plans

Sheet 2: Typical Sections, Elevations and Construction Detail

B. A Portion of a Site Plan, noting the location of the proposed construction.

C. Photographs of Sukkah structures.

FINDINGS OF FACT:

1. The Board found that the Sukkah is a roofless structure, used during the week-long Jewish festival of Sukkot. It is topped with branches and decorated with an autumnal theme.
2. The Board found that the Sukkah would be constructed on an existing concrete sidewalk. The sidewalk would be increased on the south side to accommodate the structure.
3. The Board found that the structure would consist of concrete columns with wood rafters. The structure would be painted white.
4. The Board found that the applicant presented two construction options for the columns; Option A and Option B, as noted on the plans. Both options were acceptable to the Board, and agreed to allow the contractor select the option.
5. The Board found that the elevations denote the Sukkah to column 9; however the Sukkah plan shows it up to column eight. The plans shall be revised to depict the Sukkah to column eight.

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**ACABOR #13-29: Orangetown Jewish Center Plan Sukkah Plan – Approved
Subject to Conditions**

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6. The Board found that the column foundation depth in both options would be 3'-6" deep. The plans shall be revised.

The hearing was then opened to the Public. There being no one to be heard from the public, the Public Hearing portion of the meeting was closed.

DECISION: In view of the foregoing and the testimony before the Board, the application was **APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The construction of the Sukkah will consist of concrete columns with wood rafters. The structure will be painted white.
2. The plans shall be revised to correct the following: elevations to depict the Sukkah to column 8 and the foundation depth to 3'-6" below grade.
3. No grading is to take place within five feet of any property line, except as specified on the approved site plan.

The foregoing resolution was presented and moved by Alex DiMenna and seconded by James Dodge and carried as follows; Thomas Warren, Chairman, absent; Paul Papay, aye; Jack Messina, absent; Jill Fieldstein, aye; James Dodge, aye; Blythe Yost, aye, and Alex DiMenna, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this Decision and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

**Dated: June 20, 2013
Town of Orangetown
Architecture and Community Appearance Board of Review**



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**ACABOR #13-30: MWD Star- Lot #1 Plans - Route 9W Golf Subdivision -
Approved Subject to Conditions**

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TO: Marc Comito, 87 Sixth Avenue, Nyack, New York 10960
FROM: Architecture and Community Appearance Board of Review

RE: MWD Star – Lot #1 Plans: The application of Comito Construction Company, owner, for the review of Site/Landscaping Plans at a site located in the Palisades Historic District, to be known as “**MWD Star – Lot #1 Plans**”, and as lot 3.1 in the Route 9W Golf Course Subdivision, in accordance with Article 16 of the Town Law of the State of New York and Chapter 2 of the Code of the Town of Orangetown. The site is located at 2 Kopac Lane, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.13, Block 1, Lot 3.1 in the R-40 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, June 20, 2013**, at which time the Board made the following determinations:

Marc Comito, Robert Hoene and Jay Greenwell appeared and testified.

The Board received the following items:

- A.** Site Plan prepared by Jay Greenwell, PLS, dated April 22, 2013, revised May 31, 2013.
- B.** Architectural Plans prepared by Robert Hoene, RA, dated March 5, 2013, revised May 30, 2013, unless noted:
 - A1.0, Sheet 1 of 6: Front and Right Elevations
 - A2.0, Sheet 2 of 6: Rear and Left Elevations
 - A3.0, Sheet 3 of 6: Basement/Foundation Floor Plan
 - A4.0, Sheet 4 of 6: First Floor Plan
 - A5.0, Sheet 5 of 6: Typical Wall & Second Floor Plan
 - A6.0, Sheet 6 of 6: General Notes & Roof Plan, revised April 22, 2013
- C.** Planting Plan prepared by Robert G. Torgersen, ASLA, dated May 14, 2013.
- D.** A photograph of a similar house to be constructed.

FINDINGS OF FACT:

1. The Board found the site was located in the Palisades Historic District. The application had been reviewed and approved by the Historic Areas Board of Review (HABR) on June 11, 2013.
2. The Board found that the design of the lot had been reviewed by New York State Department of Transportation (NYSDOT), since the footing drain is proposed to drain to a culvert located on state highway Route 9W. The NYSDOT accepted the outlet of the footing drain towards the state right of way, if it is offset by 5 feet and the outlets are a stone apron.
3. The Board found that the finished floor measurement of the house is no higher than the berm along Route 9W. The Board discussed the types and density of the planted vegetation on the berm.

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**ACABOR #13-30: MWD Star- Lot #1 Plans - Route 9W Golf Subdivision -
Approved Subject to Conditions**

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4. The Board found that the Sugar Maple tree located adjacent to the Berm should be shifted to another location, so not to infringe on the Berm's existing plantings.
5. The Board found that the sidewalks would be bluestone.
6. The Board found that lighting on the house and site would be in accordance with Town Code.
7. The Board found that Belgium Blocks would be used as curbing and the driveway would be macadam.

The Public Hearing portion of the meeting was open to the public.

Public Comment:

Larry Bucciarelli, 700 Oak Tree Road, Palisades, a member of the Town of Orangetown Historic Areas Board of Review, however speaking as a private citizen: provided the Board with a planting list from the approved Subdivision Landscaping Plan. Mr. Buccarilli discussed the history of the Route 9W Golf Subdivision in relation to the plantings in the berm along Route 9W. He requested the Board to require the applicant to plant large deciduous trees between the house and the berm.

The Public Hearing portion of the meeting was closed to the public.

DESICION: In view of the foregoing and the testimony before the Board, the application was **APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Belgium Blocks will be used as curbing and the driveway will be macadam. The sidewalks will be bluestone.
2. The Sugar Maple tree located adjacent to the Berm shall be shifted to another location, so not to infringe on the Berm's existing plantings. Trees to be saved shall be protected with snow fencing to the drip line during construction.
3. No grading is to take place within five feet of any property line, except as specified on the approved site plan.
4. The lighting on the house and site would be in accordance with Town Code.

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**ACABOR #13-30: MWD Star- Lot #1 Plans - Route 9W Golf Subdivision -
Approved Subject to Conditions**

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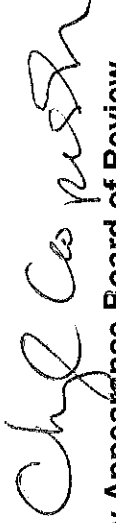
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5. The applicant shall comply with the requirements of Section 21-25 of the Town of Orangetown Shade Tree Ordinance.

The foregoing resolution was presented and moved by Alex DiMenna and seconded by Blyth Yost and carried as follows: Thomas Warren, absent; Jack Messina, absent; James Dodge, aye; Jill Fieldstein, aye; Paul Papay, aye; Alex DiMenna, aye, and Blyth Yost, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this Decision and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

**Dated: June 20, 2013
Town of Orangetown
Architecture and Community Appearance Board of Review**



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ACABOR #12-31: Comito Construction Subdivision Plan - Amendment to the Planting Plan of ACABOR #12-13, February 16, 2012 – Approved Subject to Conditions

Town of Orangetown – Architecture and Community Appearance Board of Review Decision

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TO: Marc Comito, 87 Sixth Avenue, Nyack, New York 10960
FROM: Architecture and Community Appearance Board of Review

RE: Comito Construction Subdivision: The application of Comito Construction, applicant, for Abedin Astafa, owner, for an Amendment to the Planting Plan of ACABOR #12-13, at a site known as “**Comito Construction Subdivision Plan - Amendment to the Planting Plan of ACABOR #12-13, February 16, 2012**”, in accordance with Article 16 of the Town Law of the State of New York and Chapter 2 of the Code of the Town of Orangetown. The site is located at 762 Route 340, Palisades, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 77.20, Block 1, Lot 19.2 in the R-15 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, June 20, 2013**, at which time the Board made the following determinations:

Marc Comito appeared and testified.

The Board received the following items:

- A.** An Amended Planting Plan, undated.

FINDINGS OF FACT:

- 1.** The Board found that the requested amendment to the approved Planting Plan involved planting 20 Arborvitae trees, split evenly between the front of the property and the shared property line with Lot #19.1. Each tree would have a height of 4 feet.
- 2.** The Board found that the request was acceptable with the exception of the tree height. Each tree should have a minimum height of 5 to 6 feet. In addition, the Board requested the addition of five (5) Norwegian Spruce trees to be planted along the property line shared with Section 77.20, Block 1, Lot 20.

The Public Hearing portion of the meeting was opened to the Public.

Public Comment:

Mary Ann Brueckner, 768 Route 340, Palisades: questioned the status of the original plan presented to the Board.

The Public Hearing portion of the meeting was closed to the Public.

DESICION: In view of the foregoing and the testimony before the Board, the application was **APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1.** The applicant shall plant twenty (20) Arborvitae trees, split evenly between the front of the property and the shared property line with Lot #19.1. Each tree shall have a minimum height of 5 to 6 feet.
- 2.** Five (5) Norwegian Spruce trees shall be planted along the property boundary shared with Section 77.20, Block 1, Lot 20.

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**ACABOR #12-31: Comito Construction Subdivision Plan - Amendment to
the Planting Plan of ACABOR #12-13, February 16, 2012 – Approved
Subject to Conditions**

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The foregoing resolution was presented and moved by James Dodge and seconded by Jill Fieldstein and carried as follows; Thomas Warren, absent; Jack Messina, absent; James Dodge, aye; Jill Fieldstein, aye; Paul Papay, aye; Alex DiMenna, aye, and Blyth Yost, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this Decision and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

**Dated: June 20, 2013
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ACABOR #13-32: Roost Restaurant Plan - Approved Subject to Conditions

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TO: Maria Santini and Kevin Reilly, 56 North Greenbush Road, West Nyack, New York 10994

FROM: Architecture and Community Appearance Board of Review

RE: Roost Restaurant Plans: The application of Maria Santini and Kevin Reilly, applicants, for Angelina and Adolfo Godinez, owners, for the review of Window and Awning Plans, at a site to be known as “**Roost Restaurant Plan**”, in accordance with Article 16 of the Town Law of the State of New York and Chapter 2 of the Code of the Town of Orangetown. The site is located at 623 Main Street, Sparkill, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 77.08, Block 5, Lot 42 in the CS zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, June 20, 2013**, at which time the Board made the following determinations:

Maria Santini and Kevin Reilly appeared and testified.

The Board received the following items:

A. Front Elevation with Partial Floor Plan: A1.0, signed and sealed by Robert Hoene, R.A., dated May 7, 2013, revised May 9, 2013.

FINDINGS OF FACT:

1. The Board found that the applicant proposed to improve the existing storefront by replacing two front windows and adding a black canvas awning.
2. The Board found that the new front windows would increase the natural light into the building. The windows would be custom built Anderson A Series, with new headers. Each new window would measure 6’-0” by 6’-0” fixed glass with window sills 18” minimum above the finished floor. The windows would have white trim and tempered glass.
3. The Board found that the awning would be decorated with the word “roost”, encircled with a white line and lettering noting the street address. The lettering in the word “roost” would have a maximum height of 5 inches. The applicant submitted a photograph of the proposed awning.
4. The Board found that the building is green with white trim. The proposed black canvas awning matches the existing black handrail. The existing steps would be repainted grey.
5. The Board found that there will be no additional lighting on the building or on the awning.

The hearing was then opened to the Public. There being no one to be heard from the public, the Public Hearing portion of the meeting was closed.

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ACABOR #13-32: Roost Restaurant Plan - Approved Subject to Conditions

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DECISION: In view of the foregoing and the testimony before the Board, the application was **APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Two new storefront windows will be custom built Anderson A Series, with new headers. Each new window will measure 6'-0 by 6'-0 fixed glass with window sills 18" minimum above the finished floor. The windows will have white trim and tempered glass.
2. The awning will be black canvas and decorated with the word "roost", encircled with a white line and lettering, noting the street address. The lettering in the word "roost" will have a maximum height of 5 inches.
3. The existing stairway will be painted grey.
4. There will be no additional lighting on the building or on the awning.

The foregoing resolution was presented and moved by Jill Fieldstein and seconded by Alex DiMenna and carried as follows: Thomas Warren, Chairman, absent; Paul Papay, aye; Jack Messina, absent; James Dodge, aye, Alex DiMenna, aye; Blyth Yost, aye, and Jill Fieldstein, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this Decision and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

Dated: June 20, 2013
Town of Orangetown
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ACABOR #13-33: Arriflex Sign Plan - Approved as Presented

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TO: Brian O'Connor, Frohling Sign, 419 East Route 50, Nanuet,
New York 10954

FROM: Architecture and Community Appearance Board of Review

RE: Arriflex Sign Plan: The application of Frohling Sign Company, applicant, for Arriflex Corporation, owner, for the review of a Sign Plan, at a site known as "**Arriflex Sign Plan**", in accordance with Article 16 of the Town Law of the State of New York and Chapter 2 of the Code of the Town of Orangetown. The site is located at 617 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 65.19, Block 1, Lot 1 in the LO & R-40 zoning districts.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, June 20, 2013**, at which time the Board made the following determinations:

Brian O'Connor appeared and testified for the applicant.

The Board received the following items:

- A.** Sign Plan prepared by Frohling Sign Company, dated September 2012.
- B.** A copy of ZBA #13-41, Size of Sign, Approved, dated June 5, 2013.

FINDINGS OF FACT:

1. The Board found that the Town of Orangetown Zoning Board of Appeals granted a zoning variance for the size of the sign.
2. The Board found that the sign would be a single faced wall sign measuring 37 ½" by 10'- 1 3/8".
3. The Board found that the sign consisted of fabricated aluminum channel letters and logo, mounted on the brick building façade. The logo would have a white face with blue graphics, border and return.
 - a. The letters would measure 36" in height and the logo would measure 19-7/8" by 14-½". The lettering would project 1-½" off of the building wall.
 - b. Each letter will be Halo Lit with LED lamps contained inside.

The hearing was then opened to the Public. There being no one to be heard from the public, the Public Hearing portion of the meeting was closed.

DECISION: In view of the foregoing and the testimony before the Board, the application was **APPROVED AS PRESENTED**.

The foregoing resolution was presented and moved by Alex DiMenna and seconded by Blyth Yost and carried as follows: James Dodge, aye; Jack Messina, absent, Jill Fieldstein, aye; Alex DiMenna, aye, Thomas Warren, absent; Paul Papay, aye, and Blyth Yost, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this Decision and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

Dated: June 20, 2013
Town of Orangetown


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**ACABOR #13-34: Clover Leaf Inn Outdoor Dining Area Plan - Approved
Subject to a Condition**

**Town of Orangetown – Architecture and Community Appearance Board of
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TO: Diane and Richard Miller, 507 North Midland Avenue, Nyack,
New York 10960

FROM: Architecture and Community Appearance Board of Review

RE: Clover Leaf Inn Plans: The application of Diane and Richard Miller,
owner, for review of an Outdoor Dining Area Plan at a site known as "**Clover
Leaf Inn Outdoor Dining Area Plan**", in accordance with Article 16 of the Town
Law of the State of New York and Chapter 2 of the Code of the Town of
Orangetown. The site is located at 479 Western Highway, Orangeburg, Town of
Orangetown, Rockland County, New York, and as shown on the Orangetown
Tax Map as Section 74.06, Block 3, Lot 4 in the R-15 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the
Town of Orangetown at a meeting held **Thursday, June 20, 2013**, at which time
the Board made the following determinations:

Richard F. Miller and Richard T. Miller appeared and testified.

The Board received the following items:

- A.** Outdoor Dining Area Plan, noting the dimensions of proposed outdoor dining area.
- B.** Copy of property survey.
- C.** Photographs of the location of proposed dining area, benches and umbrellas.

FINDINGS OF FACT:

- 1.** The Board found that the applicant proposed to create an outdoor dining area on an existing asphalt area, southeast of the front restaurant entrance. The outdoor dining area would have four 24" black round tables with 9' red or green umbrellas. The dining area that runs along the sidewalk on Western Highway would be marked by 3 wine barrels placed approximately 10 feet apart, with ropes connecting the barrels. Five planters with flowers would be evenly spaced along the dining area that abuts the building. Two additional planters would be placed by the restaurant front entrance.
- 2.** The Board found that the applicant would increase the number of barrels by placing two more along the boundary shared with the side parking lot. In addition, double roping would connect the barrels. The Board and applicant agreed to the revision and a revised plan was signed.
- 3.** The Board found that the outdoor dining area would close at 9 p.m.
- 4.** The Board found that the barrels and rope would be a temporary plan since the applicant intends to place a fence around the area, sometime in the future.

The hearing was then opened to the Public. There being no one to be heard from the public, the Public Hearing portion of the meeting was closed.

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**ACABOR #13-34: Clover Leaf Inn Outdoor Dining Area Plan - Approved
Subject to a Condition**

**Town of Orangetown – Architecture and Community Appearance Board of
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DESICION: In view of the foregoing and the testimony before the Board, the application was **APPROVED SUBJECT TO THE FOLLOWING CONDITION:**

1. The outdoor dining area will have four 24" black round tables with 9' red or green umbrellas. The dining area that runs along the sidewalk on Western Highway will be marked by 3 wine barrels placed approximately 10 feet apart, with ropes connecting the barrels. The number of barrels shall be increased by placing two more along the boundary shared with the parking lot, for a total of five (5) barrels. In addition, double roping will connect the barrels. Five planters with flowers will be evenly spaced along the dining area that abuts the building. Two additional planters will be placed by the restaurant front entrance.

The foregoing resolution was presented and moved by Jill Fieldstein and seconded by Alex DiMenna and carried as follows: James Dodge, aye; Jack Messina, absent; Jill Fieldstein, aye; Alex DiMenna, aye, Thomas Warren, absent; Paul Papay, aye, and Blyth Yost, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this Decision and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

**Dated: June 20, 2013
Town of Orangetown
Architecture and Community Appearance Board of Review**



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